

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, March 14, 2011

CASE NUMBER: C15-2010-0011

____ Jeff Jack
____ Michael Von Ohlen **absent**
____ Nora Salinas
____ Bryan King
____ Leane Heldenfels, Chairman **absent**
____ Clarke Hammond, Vice Chairman
____ Heidi Goebel
____ Melissa Hawthorne **Motion to PP to April 14, 2011**

APPLICANT: James Mark, Timmons

OWNER: Robert, Adams

ADDRESS: 4310 AVENUE H

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 0 feet in order to maintain a two-story accessory building for a single-family residence in an "SF-3-HD-NCCD", Family Residence – Neighborhood Conservation Combining District zoning district.

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet in order to maintain wooden deck and stairway for a single-family residence and two story detached accessory building in an "SF-3-HD-NCCD", Family Residence – Neighborhood Conservation Combining District zoning district

The applicant has requested a variance to increase the maximum floor to area ratio requirement of Subchapter F; Article 2; Subsection 2.1 from 0.4 to 1.0 to 0.52 to 1.0 in order to maintain a single family residence and accessory building in an "SF-3-HD-NCCD", Family Residence – Neighborhood Conservation Combining District.

BOARD'S DECISION: Postponed to April 11, 2011 by applicant


FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Susan Walker
Executive Liaison



Leane Heldenfels
Chairman

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

CASE #

ROW #

C15-2010-0011

10388464

TP# 02-2006-1510

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED
INFORMATION COMPLETED.

STREET ADDRESS:

4310
4301 Avenue H

LEGAL DESCRIPTION: Subdivision – lot 27 and 28 blk 17
hyde park addn no 1

Lot(s) Block Outlot Division

I/We David Cancialosi on behalf of myself/ourselves as authorized agent for

Rob Adams affirm that on Feb 12,
2011,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

 ERECT ATTACH COMPLETE REMODEL X MAINTAIN

in a SF3 district.

(zoning district)

25-2-492-d rear setback from 10' to 0'.

25-2-492-d side setback from 5' to 0'

Maintain height of non-complying wall

Maintain FAR @ 52%

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The existing 1940's era garage has an expired COA approved permit from 1982 to add a 392 SF second story to allow a workshop. The permit passed initial layout inspections but never received certificate of compliance. The second story does not appear to impose any adverse impact on adjacent properties and is actually in keeping with several surrounding properties that have 1 and 2 story accessory structures located on or near the property lines. Please see pictures. The owner is requesting to maintain the accessory use as it has been in place since originally approved in 1982 and is otherwise an unoffensive structure.

The city also approved permits for additions in 1984 and 1994. Each of these have also since expired; however, the city is allowing the issuance of Life Safety permits given the number of inspections passed for each project. But the FAR related to those additions (344 SF and 250 SF, respectively) actually contribute to the subject site's overall FAR of 52%. The GFA is over by 750 SF. Thus, removing the 1982-approved second story garage addition (392 F) will not remedy the FAR issue.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

At the time of the 1982 permit approval the following regulations were not in place:
-Prohibition against increasing the height of a non-complying wall; i.e. the side and rear of original 1940's garage.
- FAR regulating maximum of .40, or 40% for SF3 zoned properties.

Had these regulations been in place at time of the 1982, 1984, and 1994 permits, the current FAR of 52% would not have been allowed. These permits were issued and inspected by the city. As mentioned, the city is allowing Life Safety permits for the 1984 and 1994 permits, but not the 1982 permit to construct the 2nd floor addition above the existing garage.

To gain compliance with applicable FAR regulations, the site would need to be reduced by 750 SF. This includes not only the city-approved 2nd story garage addition, but also parts of the detached primary structure that include the city approved 1984 and 1994 addition permits. There appears no reasonable approach to demolish all or part of these structures in order to gain compliance. The 3 permits added a cumulative 986 SF to the existing site. Demolishing the entire detached garage, currently 784 SF, would not resolve FAR compliance issues.

To increase the height of the existing non-complying side and rear façades of the garage was not prohibited in 1982. Since those regulations have been adopted, the building location and size has not changed. There is an exterior stairwell that encroaches into the side setback beyond the original 1940's era footprint, creating the need for a side setback reduction from 5' to 0'. In terms of the rear façade, the 2nd story extends no further than the original 1 story garage's footprint, which was originally located at or near the rear property line, creating a 0' setback.

Given the approval of all three permits and the city's willingness to approve two permits via Life Safety inspections, it would be an undue hardship to demolish the city approved 2nd floor above the garage, or worse the entire 2 story structure plus portions of the existing primary structure.

(b) The hardship is not general to the area in which the property is located because:

To our knowledge there are no surrounding properties subject to the effect of 3 separate expired permits, creating this unique situation.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The existing garage configuration conforms with surrounding neighborhood aesthetics, does not adversely impact adjacent properties, nor impair the purpose of the zoning regulations. Throughout the Hyde Park neighborhood there are many examples of 1 and 2 story accessory structures encroaching well into the rear and / or side setback areas. Most of these are accessory structures taking access from rear alleys. This is the case for the subject site. Please see pictures of the 2nd story garage and adjacent properties.

Mr. David Conner with the Hyde Park Development Review Committee has written a letter of support recommending approval of the variance request described herein.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed 

Mail Address PO Box 153098 Austin TX 78715-3098

Printed David Cananadori

Phone 799 2401 Date 2/12/11

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed 

Mail Address 420 E R Austin TX 78757

Printed Robert Adams

Phone 433 5955 Date 2/12/2011



Board of Adjustments



SUBJECT TRACT



ZONING BOUNDARY

1" = 100'

OPERATOR: R.PARKER

CASE#: C15-2010-0011
 ADDRESS: 4310 AVENUE H
 GRID: K25
 MANAGER: SUSAN WALKER

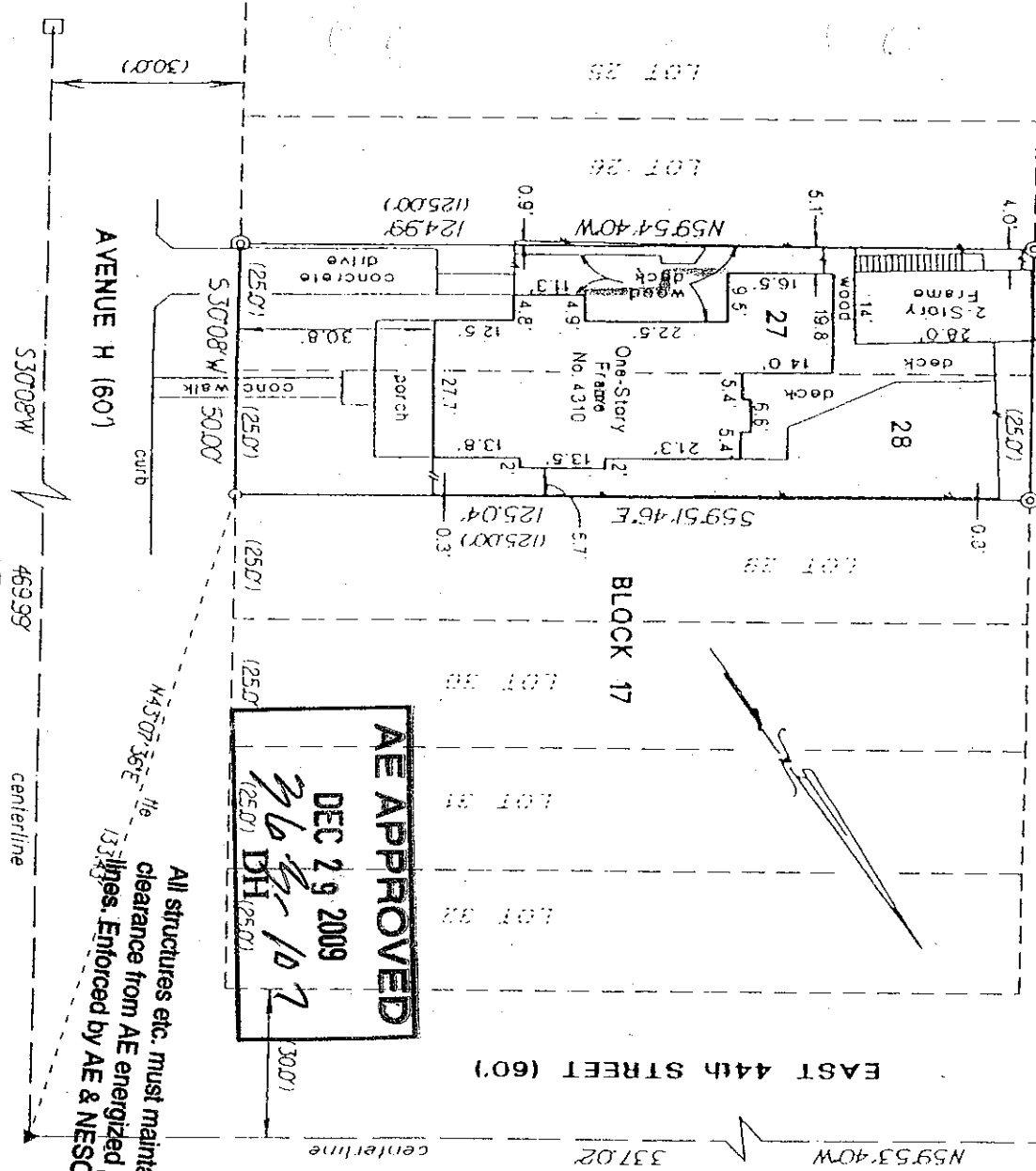


This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
 No warranty is made by the City of Austin regarding specific accuracy or completeness.

1

HYDE PARK ADDITION
BOOK 1 PAGE 167

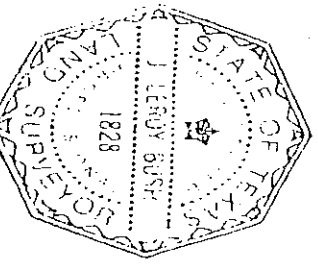
127' ALLEY
N30°04'27"E
50.11'



AE APPROVED
DEC 29 2009
36 10 2
DH

All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes. E.G.E.N.D.

- ⊙ Iron Rod Found
- Iron Rod Set
- Centerline Monument Found
- ▲ 60D Nail Found
- Wood Fence
- (Record Dimension)



SURVEY MAP OF

LOT 27 AND LOT 28, BLOCK 17, HYDE PARK ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1 PAGE 67 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. LOCATED AT 4310 AVENUE H.

GF No 931319

T.O. Sidney G. Hall and Ronda Hall

Commercial Title of Austin
Ticor Title Insurance Company

THE STATE OF TEXAS
COUNTY OF TRAVIS

The undersigned does hereby certify that a survey was this day made on the ground of the property legally described hereon and is correct and that there are no boundary line conflicts, encroachments, shortages in area, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and said property has access to and from a dedicated road No. portion of this property lies within a special flood hazard area according to the Federal Emergency Management Agency Flood Insurance Rate Maps THIS the 26th day of MAY, A.D., 1993

BY

Leroy Bush
Leroy Bush

Reg. Professional Surveyor No 1828
BUSH SURVEYING, INC



Kramer Service Center
2412 Kramer Lane, Bldg. "C"
Austin, Texas 78758
(512) 505-7206

Austin Energy

Electric Service Planning Application (ESPA)

(Please Print or Type)

St. Elmo Service Center
4411-B Meinardus Drive
Austin, Texas 78744
(512) 505-7500

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

Customer Name Mark Timmons Construction Phone 426-4083
Address 4310 Avenue H
Legal Description Hyde Park Addition
Lot 28/28 Block 17 Commercial/Residential? Res

Service Main Size 200 (amps) Service Conductor _____ (type & size)
Service Length _____ (ft.) Number of Meters? 1 Multi-Fuel Y N
Overhead/Underground? OK Voltage _____ ☐ Single-phase (1Ø) ☐ Three-phase (3Ø)
Total Square Footage 2824 Total A/C Load 1 (# of units) 3 (Tons)
Largest A/C unit 3 (Tons) LRA of Largest A/C Unit _____ (amps)
Electric Heating _____ (kW) Other _____ (kW)

Comments: Add 2 bedrooms + utility

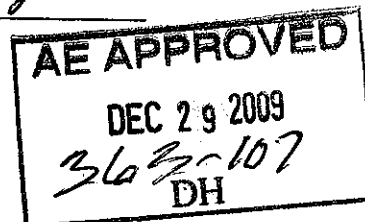
ESPA Completed by (Signature & Print name) _____ Date _____ Phone _____

AE Representative _____ Date _____


Approved: ☐ Yes ☐ No (Remarks on back) _____ Phone 974-9112

Application expires 180 days after date of Approval

All structures etc. must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NESC codes.



Square Footage				
Lot Size	6,256.00		2,502.4	BldgC - 40%
Flag Lots - FAR	9,255.00	3,702.0	2,815.2	IMP-C - 45%
Lot Size	1,616.00	Mueller	1,212.0	IMP-C - 75%
	Bldg. Coverage	Built Area	Lot Size	408.00
1st floor area	2,062.0	2,062.0	204	204
2nd floor area	0.0	1,190.0	2	
3rd floor/Bsmt	0.0	0.0	Actual FAR - RD&C	
Gar - Attached	0.0	0.0		3,532.0
Gar - Detached	0.0	0.0	Minus 1st Porch	280.0
Attic	0.0	0.0	Minus Attic	0.0
Breezeway	0.0	0.0	Minus Bsmt	0.0
Cov patios	0.0	0.0	Minus Patio	0.0
Cov porches	280.0	280.0	Minus Garage	0.0
Balcony/Ledge	0.0	0.0	Deductions	280.0
Covered Wood Deck	0.0	0.0	Net F.A.R.:	3,252.0
Storage	0.0	0.0	Over/-Und	749.6
Ground Coverage & Total	2,342.0	3,532.0	37.44%	
Driveways, sidewalks, other flatwork				-160.4
driveway	277.00		144.93%	
sidewalks	92.0	F.A.R. %		
Wood deck (50%)	0.0	51.98%	Flag Lots	35.14%
A/C pads	9.0		2nd Floor Area	1,190.0
Landscape Wells & Steps	80.0		E22/2,300	141.4%
Unacd Patio/Stoop/Steps	0.0			
Total Imp Cov	2,800.0		44.76%	
Amount over	-15.2			



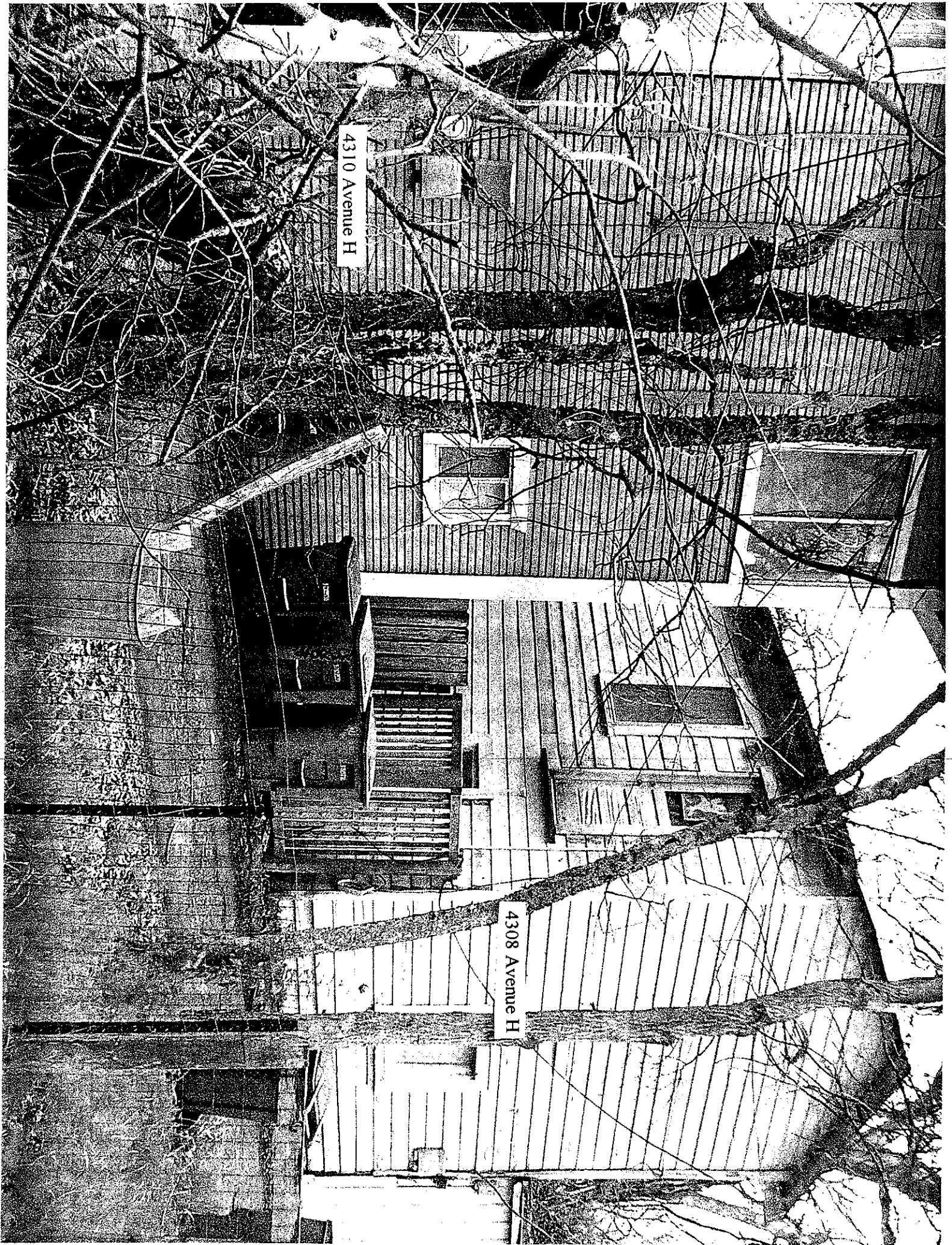
4308 Avenue H

4310 Avenue H



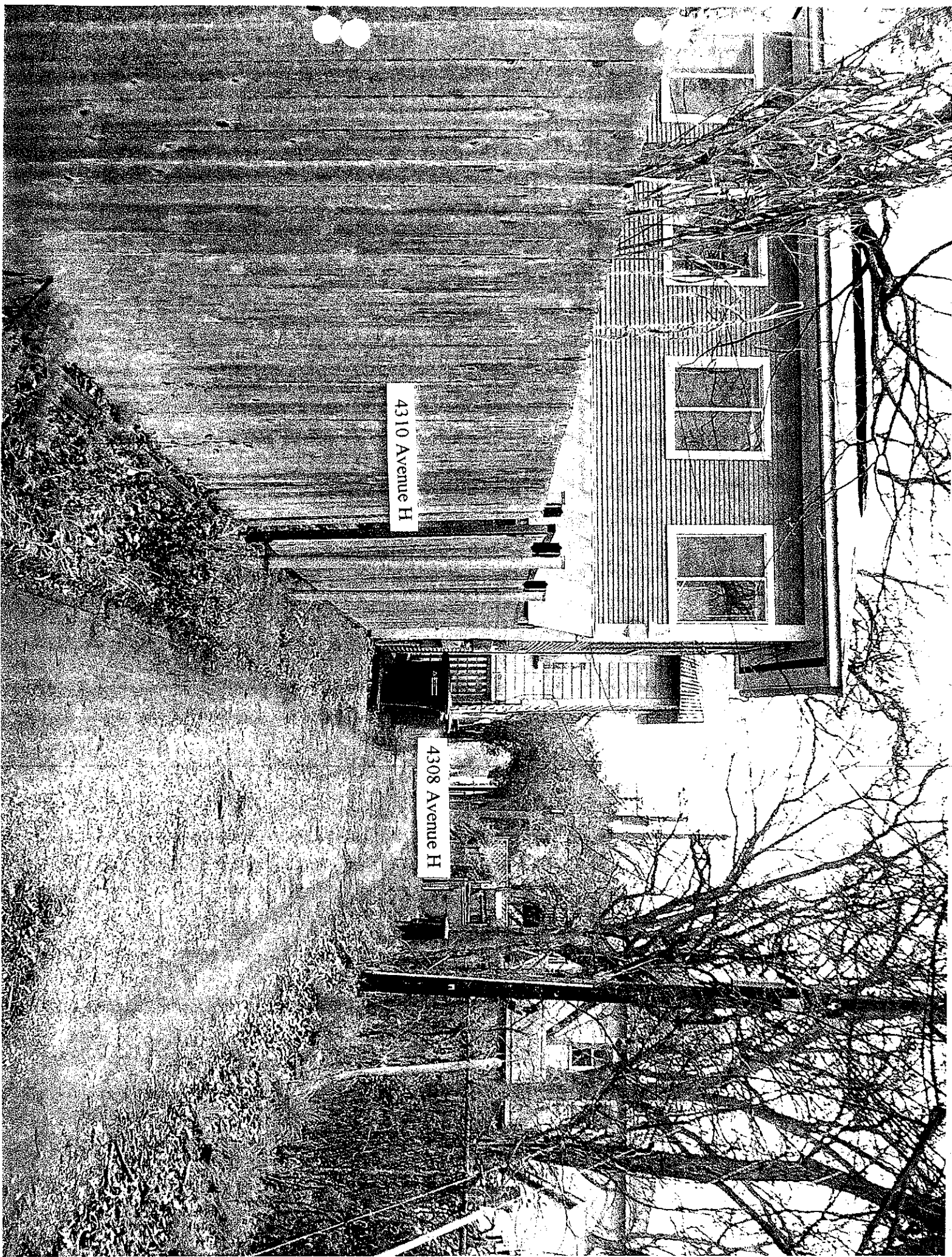
4310 Avenue H

4308 Avenue H



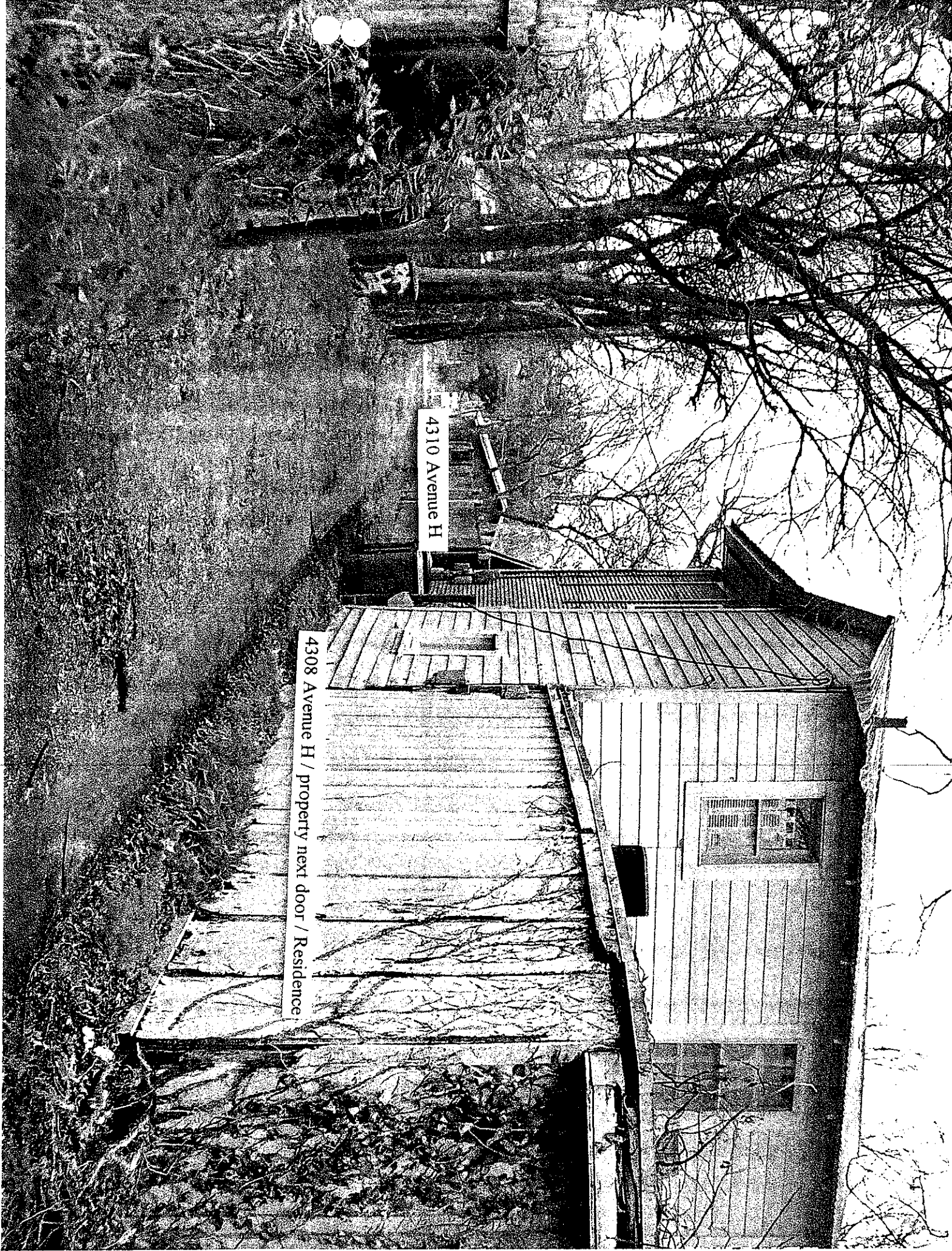
4310 Avenue H

4308 Avenue H



4310 Avenue H

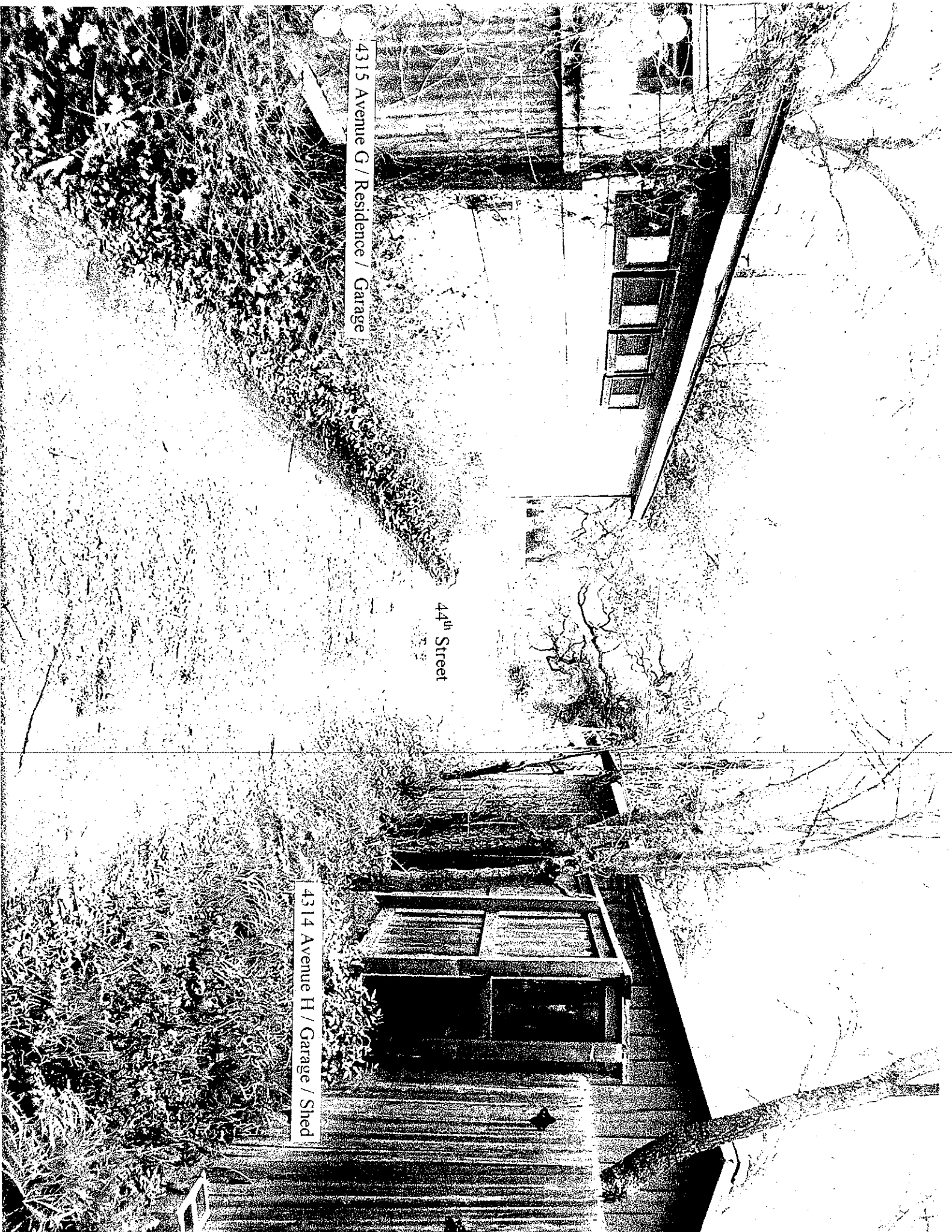
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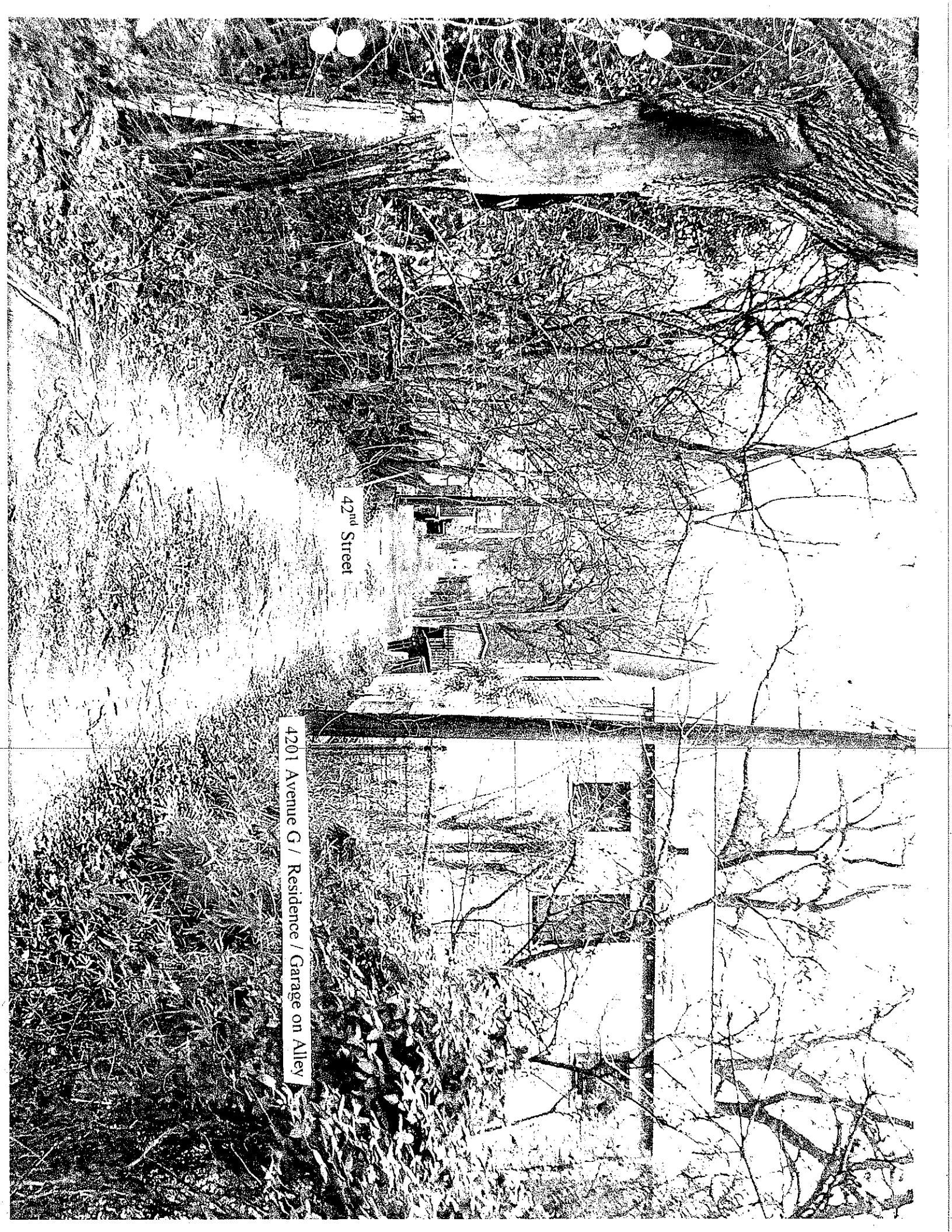


4315 Avenue G / Residence / Garage

44th Street

4314 Avenue H / Garage / Shed





42nd Street

4201 Avenue G / Residence / Garage on Alley

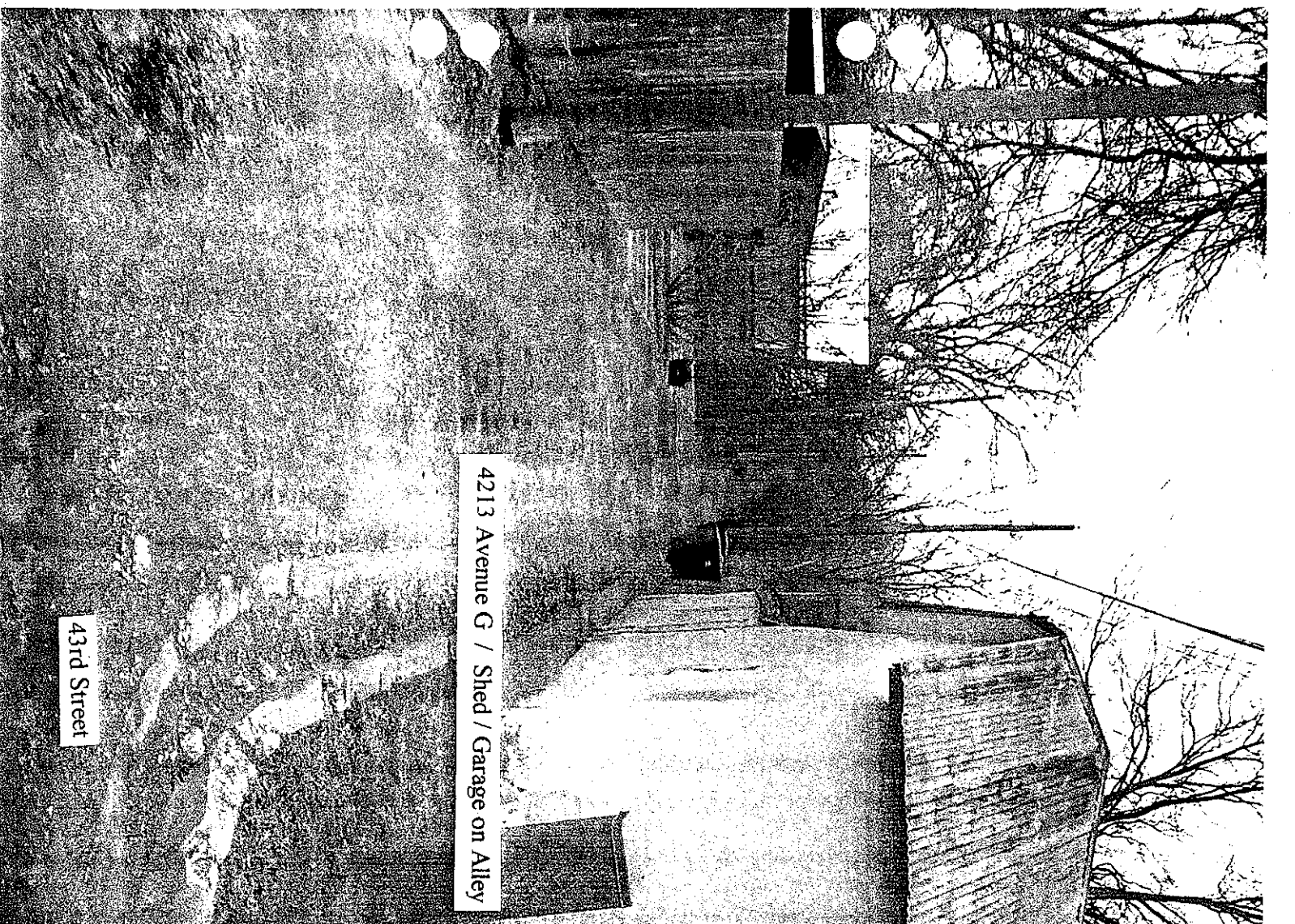
4201 Avenue G / Residence / Garage on Alley

43rd Street

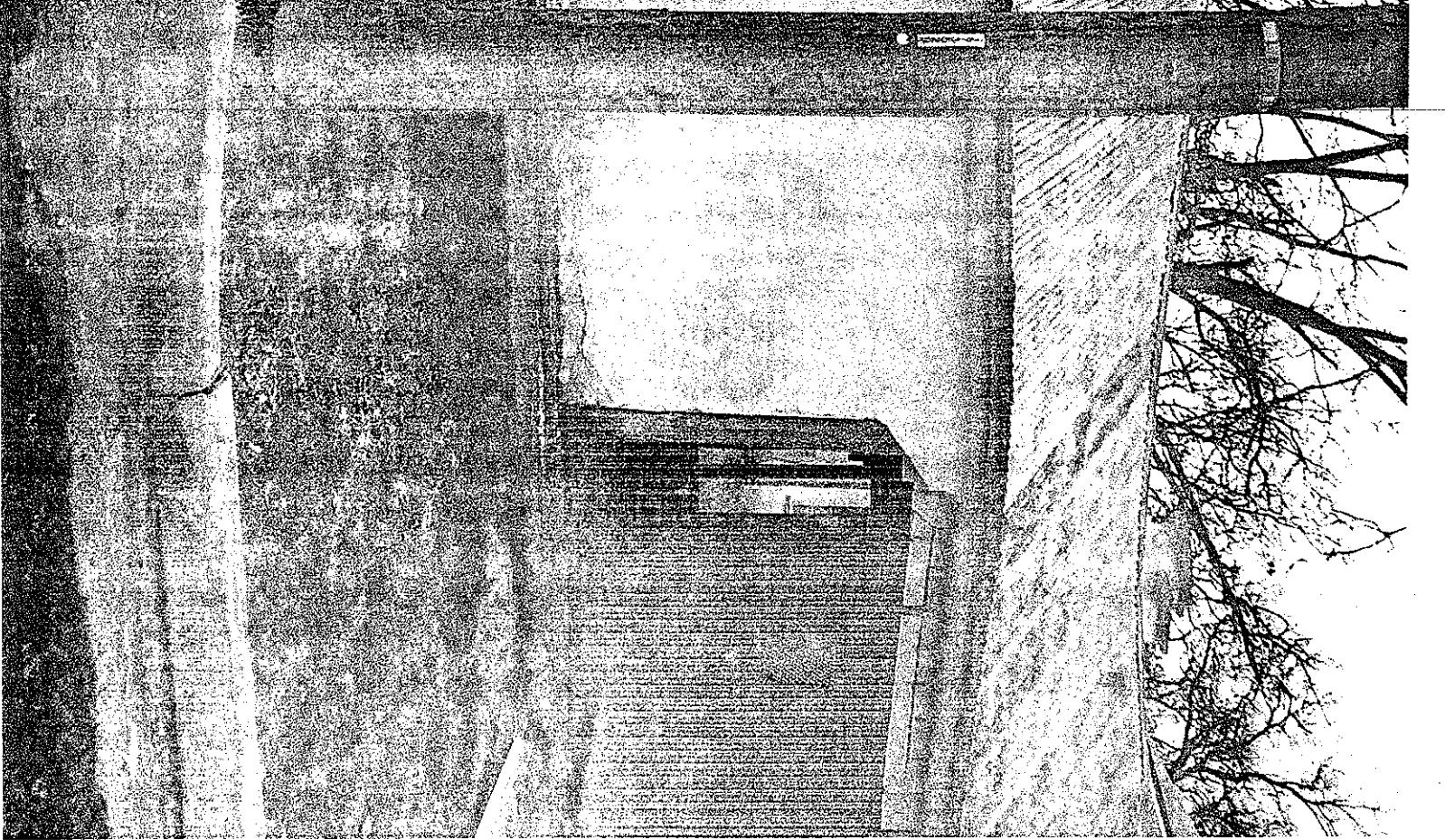
4202 Avenue H / Shed on Alley

42nd Street





4213 Avenue G / Shed / Garage on Alley



43rd Street



City of Austin BUILDING PERMIT

PERMIT NO: 1994-015451-BP

Type: RESIDENTIAL

Status: Expired

4310 AVENUE H

Issue Date: 08/11/1994

EXPIRY DATE: 08/13/1995

LEGAL DESCRIPTION Lot: 28 Block: 17 Subdivision:						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY: Add 2nd Fl Bedroom & Bath		WORK PERMITTED: Addition				ISSUED BY:			
TOTAL SQFT	VALUATION Tot Val Rem: \$.00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS	UNITS 1	# OF PKG SPACES	
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS		METER SIZE		

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Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	33.00	8/11/1994	Electrical Permit Fee	34.00	10/19/1994	Mechanical Permit Fee	34.00	10/21/1994
Plumbing Permit Fee	34.00	10/17/1994						
Fees Total:	135.00							

Inspection Requirements			
Building Inspection	Electric Inspection	Mechanical Inspection	Plumbing Inspection
Sewer Tap Inspection	Water Tap Inspection		

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin BUILDING PERMIT

PERMIT NO: 1994-015451-BP

Type: RESIDENTIAL

Status: Expired

4310 AVENUE H

Issue Date: 08/11/1994

EXPIRY DATE: 08/13/1995

LEGAL DESCRIPTION Lot: 28 Block: 17 Subdivision:						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY: Add 2nd Fl Bedroom & Bath		WORK PERMITTED: Addition				ISSUED BY:			
TOTAL SQFT		VALUATION Tot Val Rem: \$00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

<u>Type</u>	<u>Date</u>	<u>Status</u>	<u>Comments</u>	<u>Inspector</u>
101 Building Layout	8/26/1994	Pass	MIGRATED FROM PIER.	Buddy Graves
102 Foundation	8/25/1994	Fail	MIGRATED FROM PIER.	Buddy Graves
103 Framing	11/16/1994	Pass	MIGRATED FROM PIER.	Buddy Graves
104 Insulation	11/16/1994	Pass	MIGRATED FROM PIER.	Buddy Graves
105 Wallboard	11/21/1994	Pass	MIGRATED FROM PIER.	Buddy Graves
611 Water Tap	9/8/1994	Pass		



City of Austin BUILDING PERMIT

PERMIT NO: 1984-016669-BP

4310 AVENUE H

Type: RESIDENTIAL

Status: Expired

Issue Date: 08/28/1984

EXPIRY DATE: 04/01/1986

LEGAL DESCRIPTION Lot: 28 Block: 17 Subdivision:						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Addition				ISSUED BY:			
Addition To Ext Res To Create 2-Bedrms & Utili									
TOTAL SQFT		VALUATION Tot Val Rem: \$00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS		METER SIZE	

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	25.00	8/28/1984	Electrical Permit Fee	25.00	8/28/1984	Plumbing Permit Fee	25.00	8/28/1984
Fees Total:	75.00							

Inspection Requirements

Building Inspection

Mechanical Inspection

Plumbing Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.

A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

Tyrm. Smoke Detector Req Set N/L Over/Tammy

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin

BUILDING PERMIT

PERMIT NO: 1984-016669-BP

4310 AVENUE H

Type: RESIDENTIAL

Status: Expired

Issue Date: 08/28/1984

EXPIRY DATE: 04/01/1986

LEGAL DESCRIPTION Lot: 28 Block: 17 Subdivision:						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: Addition				ISSUED BY:			
Addition To Ext Res To Create 2-Bedrms & Util									
TOTAL SQFT		VALUATION Tot Val Rem: \$00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

Type	Date	Status	Comments	Inspector
104 Insulation	11/28/1984	Pass	MIGRATED FROM PIER.	
105 Wallboard	12/18/1984	Pass	MIGRATED FROM PIER.	
112 Final Building	10/3/1985	Fail	MIGRATED FROM PIER.	Mike Jozwiak



City of Austin BUILDING PERMIT

PERMIT NO: 1982-017978-BP

Type: COMMERCIAL Status: Expired

4310 AVENUE H

Issue Date: 07/27/1982 EXPIRY DATE: 02/06/1983

LEGAL DESCRIPTION Lot: 28 Block: 17 Subdivision:						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: New				ISSUED BY:			
2nd Stry Addn To Acc Bldg To Create Workshop									
TOTAL SQFT		VALUATION Tot Job Val: \$3,000.00		TYPE CONST.	USE CAT. 328	GROUP	FLOORS	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE				

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Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	19.00	7/27/1982						
Fees Total:	19.00							

Inspection Requirements			
Building Inspection	Environmental Inspection	Mechanical Inspection	Plumbing Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.

A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments Cold Water Lavatory For Work Shop. Dormant 12-1-89 Per #608***

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin

BUILDING PERMIT

PERMIT NO: 1982-017978-BP

Type: COMMERCIAL Status: Expired

4310 AVENUE H

Issue Date: 07/27/1982 **EXPIRY DATE: 02/06/1983**

LEGAL DESCRIPTION Lot: 28 Block: 17 Subdivision:						SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY:		WORK PERMITTED: New				ISSUED BY:			
2nd Stry Addn To Acc Bldg To Create Workshop									
TOTAL SQFT	VALUATION Tot Job Val: \$3,000.00		TYPE CONST.	USE CAT. 328	GROUP	FLOORS	UNITS 1	# OF PKG SPACES	
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE					
Type			Date	Status	Comments			Inspector	
101 Building Layout			8/10/1982	Pass	MIGRATED FROM PIER.				

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0011 - 4310 Avenue H

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, March 14th, 2011

Charles Pace

Your Name (please print)

4402 Duval St.

Your address(es) affected by this application

[Signature]

Signature

3/5/2011

Date

Daytime Telephone: *(512) 491-9867* or *905-5133 (cell)*

Comments: *I object to the request for set back variances both to the side and rear of the property because it is not in keeping with the graceful character of the neighborhood to build to the edges of the lots, because everyone cannot build to the edges of their lots, and certainly did not do so historically!*

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-1088

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, for an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0011 – 4310 Avenue H

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, March 14th, 2011

MICHAEL MITCHELL

Your Name (please print)

4303 Avenue G

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 206-0754

Comments: _____

Date

4 Mar 11

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

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